IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6630 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SUBHASHCHANDRA A PUROHIT

Versus

ADMINISRATION OFFICER

Appearance:

1. Special Civil Application No. 6630 of 2002

MR MUKESH R SHAH for Petitioner No. 1-24

NANAVATI & NANAVATI for Respondent No. 1

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 03/10/2002

ORAL JUDGEMENT

Rule. Mr BG Shukla for M/s. Nanavati & Nanavati waives service of rule on behalf of the respondent.

2. The petitioners, 24 in number, are the Assistant Teachers in the primary schools being run by the Ahmedabad Municipal School Board represented by the Administrative Officer who is the respondent herein.

The petitioners have prayed for a writ of mandamus to direct the respondent to remove anomaly in the pay scale of the petitioners by fixing the petitioners' pay at Rs.5300/= as on 1-2-1996 which is given to the juniors to the petitioners and to give all consequential benefits accordingly.

3. In response to the notice, Mr BG Shukla for M/s Nanavati & Nanavati appears for the respondent and seeks leave to place on record a letter dated 11-9-2002 from the respondent stating that since the anomaly has taken place, the respondent will take necessary steps for removing the anomaly and for re-fixing the pay of the petitioners. The letter further states that upon removal of the anomaly some time will be required for payment of difference of salary to the petitioners i.e. at least three months time will be required for this purpose.

The said letter is taken on record.

4. In view of the above statement, this petition is disposed of with a direction to the respondent to abide by the statements made in the aforesaid letter dated 11-9-2002. The compliance of the statements made in the said letters shall be made within two months from the date of receipt of the writ of this Court or a certified copy of this judgment, whichever is earlier.

5. The petition is accordingly disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.
Direct service is permitted.

(M.S. Shah,J)
zgs/-